

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CARLOS BERNARDEZ,

11 Petitioner,

12 v.

13 RON FRAKER,

14 Respondent.

CASE NO. C12-1557-JCC

**ORDER DENYING 28 U.S.C. § 2254
HABEAS PETITION AND
CERTIFICATE OF
APPEALABILITY**

15 The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas
16 corpus, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States
17 Magistrate Judge, petitioner's objections to the recommendation, and the remaining record, does
18 hereby find petitioner's objections to be without merit because they reiterate claims thoroughly
19 addressed in the Report and Recommendation. The Court hereby **ORDERS**:

20 1. The Report and Recommendation is **ADOPTED**;
21 2. Petitioner's habeas petition is **DENIED** and this matter is **DISMISSED** with prejudice;
22 3. Petitioner is **DENIED** issuance of a certificate of appealability; and
23 4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

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DATED this 3rd day of July 2013.

Joh C Cayman

John C. Coughenour
UNITED STATES DISTRICT JUDGE

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